

FISCAL NOTE

HB 3023 - SB 2993

March 2, 2006

SUMMARY OF BILL: Requires preservation of fetal tissue for DNA testing when an abortion is performed on a minor less than 13 years of age. Violation is a Class A misdemeanor for a first offense and a Class E felony for subsequent offenses.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$1,100 / Incarceration*

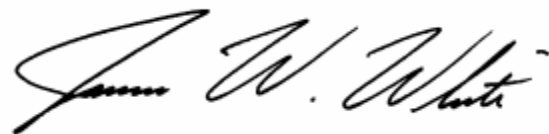
Assumptions:

- One Class E felony every five years with 0.3 years time served (109.58 days). The annualized time served per conviction is 21.92 days (0.20 annual number of convictions x 109.58 days served). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The annualized cost per conviction is \$1,100 ($0.20 \times 109.58 \times \$50.02 = \$1,096.24$)
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6% over the next ten years. No significant incarceration cost increase will occur due to population growth in this period.
- Preservation and testing of fetal tissue may result in additional convictions for child statutory rape. This impact is indirect, however, and cannot be quantified for purposes of calculating incarceration costs.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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